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Dan Clarke

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re

PG&E CORPORATION

- and -

**PACIFIC GAS AND ELECTRIC
COMPANY,**

Debtors.

Bankruptcy Case
Case No. 19-30088 (DM)

Chapter 11

(Lead Case)

(Jointly Administered)

**NOTICE OF HEARING
ON MOTION FOR RELIEF FROM
THE AUTOMATIC STAY**

Date: July 23, 2019

Time: 9:30 a.m.

Ctrm: Hon. Dennis Montali
450 Golden Gate Avenue
16th Floor, Courtroom No. 17
San Francisco, CA 94102

Affects PG&E Corporation
 Affects Pacific Gas and Electric
Company
 Affects both Debtors

**All papers shall be filed in the Lead Case,
No. 19-30088 (DM).*

1 **PLEASE TAKE NOTICE** that on **July 23, 2019 at 9:30 a.m.**, at the United States
2 Bankruptcy Court for the Northern District of California, located at 450 Golden Gate Ave., 16th Floor,
3 San Francisco, California, in Courtroom 17 of the Honorable Dennis Montali, Dan Clarke, Creditor
4 herein (“Clarke”), will bring on for hearing his motion for relief from the automatic stay under 11
5 U.S.C. § 362(d)(1) (the “Motion”). Clarke brings this Motion to continue with certain pending
6 proceedings before the United States District Court as raised pre-petition in the matter, *San Francisco*
7 *Herring Association and Dan Clarke vs. Pacific Gas and Electric Company; PG&E Corporation*,
8 United States District Court, Northern District of California Case No. 14-cv-04393 WHO (JCS)
9 (the “District Court Case”), in order to liquidate Clarke’s claims and enforce injunctive relief
10 related to ongoing waste contamination caused by manufactured gas plants (“MGPs”) in the city
11 and county of San Francisco that the Debtor owns and operates. Mr. Clarke further requests the
12 order granting relief from stay be made effective immediately and that the fourteen (14) day waiting
13 period of Bankruptcy Rule 4001(a)(3) be waived.

14 The Motion is based upon this Notice of Hearing, the Motion, the Declaration of Stuart G.
15 Gross, the Request for Judicial Notice, the Declaration of Matthew D. Metzger, the exhibits served
16 with the Motion, any reply, and on such other and further evidence and matters that the Court may
17 consider at the hearing on the Motion, as well as the March 13, 2019 Final Order Pursuant to 11
18 U.S.C. §§ 105(a) 363(b), AND 507(a) (7) AND FED. R. BANKR. P. 6003 AND 6004 (I)
19 Authorizing Debtors to (A) Maintain and Administer Customer Programs, Including Public
20 Purpose Programs, and (B) Honor Any Prepetition Obligations Relating Thereto; and (II)
21 Authorizing Financial Institutions to Honor and Process Related Checks and Transfers (Dkt. No.
22 843).

23 **PLEASE TAKE FURTHER NOTICE** that you are hereby informed that any objection
24 by the Debtor or by the two official creditors’ committees shall be filed **on or before 4:00 p.m.**
25 **prevailing Pacific standard time five days prior to the hearing** and served upon the
26 undersigned and on all “Standard Parties” as defined in paragraph 5 of the Case Management
27
28

1 Order. You may be able to appear at the hearing by telephone and should consult the Court's
2 Procedures for Appearances by Telephone.

3 PLEASE TAKE FURTHER NOTICE that as provided in Local Rule 4001-1(a), the
4 debtor, Pacific Gas & Electric Company, is advised to appear personally or by counsel at the
5 preliminary hearing; and that failure to so appear may result in the Court granting the relief
6 requested without further hearing, including determining that cause exists under § 362(d)(1)
7 to grant Clarke relief from the automatic stay to liquidate Clarke's claims as raised pre-petition
8 in the District Court Case and to enforce related injunctive relief after the District Court defines
9 and enters a final ruling on liability.

10 | Dated: July 2, 2019

BELVEDERE LEGAL, PC
By: /s/ *Matthew D. Metzger*
Matthew D. Metzger
Attorneys for Creditor Dan Clarke